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PTO/SB/30 (10/2001)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	10/022,755
Filing Date	12/13/01
First Named Inventor	Erik Lipson
Art Unit	3727
Examiner Name	S. Castellano
Attorney Docket Number	LPN-10203/03

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-1180
- i. ☒ RCE fee required under 37 CFR §1.17(e)
- ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 430 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Judith M. Riley

Registration No. (Attorney / Agent)

31,561

Signature

Date

1/31/03

## CERTIFICATE OF MAILING OR TRANSMISSION

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1/31/03

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Attorney Docket No. LPN-10203/03

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Erik Lipson

Serial No.: 10/022,755

Group Art Unit: 3727

Filed: December 13, 2001

Examiner: S. Castellano

For: DRINK CONTAINER WITH MOLDED STRAW AND METHOD OF  
MANUFACTURE

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to the examination of the above-referenced continuation application, Applicant makes the following preliminary amendments.

**IN THE CLAIMS:**

Please amend claim 1 as follows:

1. (Twice Amended) A combination drinking container and straw comprising:
- a container having a wall enclosing a chamber, a bottom, an open top, and at least one straw retaining member formed in said wall; and
- a straw disposed in the at least one retaining member, the straw having a first end which is in fluid communication with the chamber of the container and a second end which extends upwardly from the container so that liquid may be sipped through from the container while the straw is disposed in the at least one retaining member, wherein at least part of the configuration of the straw is defined by the configuration of the retaining member.

Please amend claim 6 as follows:

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